

## **Washington Horse Racing Commission Policy/Interpretive Statement 2007-05**

### **Denial of Application/Revocation of License and Licenses with Conditions**

The Washington Horse Racing Commission (WHRC) views the suitability of licensees to participate in horse racing activities as vital to protect the integrity of horse racing in the state of Washington.

RCW 67.16.020 requires the WHRC to license all race meets and persons associated with horse racing activities. Further, RCW 67.16.045 allows the WHRC access to criminal history record information (CHRI) that includes non-conviction data for any purpose associated with the investigation of suitability for involvement in horse racing activities.

In 2012 the commission amended WAC 260-36-120 to grant the Board of Stewards more discretion in deciding when to grant a license and when to deny an application for license or suspend or revoke an existing license.

The purpose of this policy/interpretive statement is to assist the Board of Stewards in properly applying the provisions of WAC 260-36-120 to maintain consistency and fairness when dealing with applicants and licensees.

Whenever the Board of Stewards discovers an applicant or licensee meets any of the criteria listed in WAC 260-36-120(1), the Board of Stewards may deny an application for license, suspend, revoke, modify or place conditions upon a license. The Board of Stewards will use the stewards' ruling conference to deny an application for a license, suspend, revoke, modify, or place conditions upon an existing license.

#### **License with Conditions**

An applicant/licensee will not normally be issued a license when any of the following exist:

1. Has been convicted of any felony crime;
2. Is subject to current prosecution for any felony crime; or
3. Has any felony conviction under appeal.

However, if the Board of Stewards determines, after considering all the facts and any mitigating factors the applicant/licensee may present to show that the integrity or the best interest of horse racing will not be compromised, the Board of Stewards may grant a license or allow an existing licensee to maintain their license. The Board of Stewards will, however, issue such license with conditions.

Applicants or licensees (1) currently suspended or revoked in Washington or by another racing jurisdiction; (2) certified under RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order; or (3) have any outstanding arrest warrants will not be issued a license or a license with conditions.

A license with conditions will remain in place until revoked by the Board of Stewards.

In issuing a license with conditions the commission will also specify “conditions” with which the licensee must comply. If the licensee violates any of the terms of the conditions, the stewards may immediately suspend or revoke the license.

Each calendar year a licensee who has been issued a license with conditions must apply for a license as required in WAC 260-36-080.

Amended by the Washington Horse Racing Commission  
January 10, 2012

Previously amendment on April 10, 2008 and October 11, 2007

Original adopted on February 10, 2005